



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,605	02/10/2004	Charles Udolph	04-13217	1616

25189 7590 04/06/2006

CISLO & THOMAS, LLP
233 WILSHIRE BLVD
SUITE 900
SANTA MONICA, CA 90401-1211

EXAMINER

MAI, TRI M

ART UNIT PAPER NUMBER

3727

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/775,605

Applicant(s)

UDOLPH, CHARLES

Examiner

Tri M. Mai

Art Unit

3727

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02/10/04</u> . | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 3727

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the the protuberance in claim 7, the pocket in claim 18, step of inserting the case within a pocket in claim 18, all of the devices in claim 20 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. Claim 7 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that

Art Unit: 3727

the inventor(s), at the time the application was filed, had possession of the claimed invention. It is unclear how the protuberance operate with the groove in claim 7.

The specification fails to show how the various part being reversible.

3. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear what is meant by “reversibly engageable”. The disclosure does not teach any part being reversible at all.

4. Claims 1, 5, 7- 9, 13, 14, 16, 17, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Guerinault et al. (4231631). Guerinault teaches a security device having a fastener comprising a first component 12 reversibly engageable with a second component 11 wherein the first component is fixed at least one surface of a case 9, and the second component is fixed to a coupling structure 5, the coupling structure comprising a first portion reversibly engageable with a second portion 15 as claimed. it can also be interpreted that portion 15 is the first component, 14 is the second component, and the coupling structure comprises a first portion 11, and the second portion is portion 12.

Regarding claim 4, note the hole in second portion 12.

Regarding claim 8, note the plate 16.

Regarding claim 9, the term carry case is broad and it does not impart any structure over either portion 9 or 10 in Guerinault.

Regarding claim 10, it is noted that the term securable is an intended use and does not impart any structure over the device in Guerinault.

Regarding claims 7 and 16, the coupling threads in Guerinault inherently has a protuberance portion and a groove portion.

5. Claims 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Benoit (1254648). Benoit teaches a fastening device having a coupling structure fastener comprising a first component 13 reversibly engageable with a second component 2 wherein the first component is fixed at least one surface of a case y, and the second component is fixed to a coupling structure 5, the coupling structure comprising a first portion reversibly engageable with a second portion 18 as claimed.

Regarding claim 20, it is noted that the term securable is an intended use and does not impart any structure over the device in Benoit.

6. Claims 1-5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benoit, or in the alternative under 35 U.S.C. 103 (a) as being unpatentable over Benoit in view of Barber (1362916). Benoit teaches a security device having a fastener comprising a first component 13 reversibly engageable with a second component 2 wherein the first component is fixed at least one surface of a case y, and the second component is fixed to a coupling structure 5, the coupling structure comprising a first portion reversibly engageable with a second portion 18 as claimed.

With respect to the portable carrying case, it is regarded as an intended use.

To the degree it is argued that Benoit does not teach a portable carrying case, it would have been obvious for one of ordinary skill in the art to provide a portable carrying case to provide an alternative fastener for securing a pocket.

Regarding claim 2, note the first component 13 is a male snap button

Regarding claim 3, note the first component 2 is a male snap button

Regarding claim 4, note the bore at 19,

Regarding claim 5, note the threads in 22.

Regarding claim 7, note the threads of 22 and the grooves at 19' inherently having at least a protuberance and a groove as claimed.

7. Claims 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benoit rejection, as set forth in paragraph 6, in view of Weinrich (1413082). It would have been obvious to one of ordinary skill in the art to provide a stabilizing plate in Benoit rejection as taught by Weinrich (note portions 14 and 15) to provide added reinforcement.

8. Claims 1-3, 9-13, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Masters (3184759). Masters teaches a fastening device having a having a fastener comprising a first component 11 reversibly engageable with a second component 12, wherein the first component is fixed at least one surface of a case 4, and the second component is fixed to a coupling structure comprising a first portion 12 reversibly engageable with a second portion 13 as claimed.

9. Claims 5, 7, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masters in view of Benoit. It would have been obvious to one of ordinary skill in the art to provide thread connection as taught by Benoit to provide an alternative fastening means.

10. Claims 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masters rejection in view of Weinrich (1413082). It would have been obvious to one of ordinary skill in the art to provide a stabilizing plate in Benoit rejection as taught by Weinrich (note portions 14 and 15).

11. Claims 1-5, 7-14, and 16-20 are rejected under 35 U.S.C. 102 (b) as being anticipated by Stryffeler (1162663), or in the alternative under 35 U.S.C. 103 (a) as being unpatentable over Stryffeler in view of Barber. Stryffeler teaches a security device having a first component 16, a second component 2, and a coupling having first portion 3, and second portion 4. With respect to the portable carrying case, it is regarded as an intended use. To the degree it is argued that Stryffeler does not teach a portable carrying case, it would have been obvious for one of ordinary skill in the art to provide a portable carrying case to provide an alternative fastener for securing a pocket.

Regarding claim 8, note the base at portion 2.

12. Claims 6, and 15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Stryffeler rejection, as set forth above, and further in view of Noto (3850010). It would have been obvious for one of ordinary skill in the art to provide flexible threads, i.e., by having slots in portion 3 as taught by Noto, note slots at 66, to fasten the two parts easily.

13. Claims 1-5, 7-14, and 16-20 are rejected under 35 U.S.C. 102 (b) as being anticipated by Hwang (4458383). Hwang teaches a security device having a first component 1, a second component (aperture at 241), and a coupling having first portion 24, and second portion 25. With respect to the portable carrying case, it is regarded as an intended use.

Regarding claim 8, note the stabilizing plates 26.

14. Claim 6, and 15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Hwang in view of Noto (3850010). It would have been obvious for one of ordinary skill in the art to provide flexible threads, i.e., by having slots in portion 3 as taught by Noto, note slots at 66, to fasten the two parts easily.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri M. Mai whose telephone number is (571)272-4541. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on (571)272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tri M. Mai
Primary Examiner
Art Unit 3727

